

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

CHARLES HICKS (AIS# 246241),

\*

Plaintiff,

\*

v.

CIVIL ACTION: 2:06cv1033-WKW

\*

ALABAMA DEPARTMENT OF  
CORRECTIONS, et al.

\*

Defendants.

\*

**DEFENDANTS' MOTION TO EXTEND TIME TO FILE  
SPECIAL REPORT AND ANSWER**

COMES NOW the Defendant, Prison Health Services (erroneously designated Prison Medical and Health Services), and respectfully requests that this Honorable Court extend the time period which this Defendant has to file its Answer and Special Report in this action by thirty (30) days, up to and including March 2, 2007. As grounds for this Motion, Defendant shows to the Court as follows:

1. A brief extension of time will in no way prejudice any party nor will it unduly delay the adjudication of this matter.
2. On or about February 1, 2007, counsel for the Defendant received a copy of the Hicks case and this Court's previously entered Order requiring the Defendant to file a Special Report and Answer on or before January 9, 2007. The Defendant is in the process of assembling the appropriate medical records and doing the necessary investigation into this claim in order to properly address all issues within the confines of that Special Report and Answer.

3. The Defendant will continue to use all efforts to timely file its Special Report. However, a brief extension of time will in no way prejudice any party nor will it unduly delay the adjudication of this matter.

WHEREFORE, all premises considered, this Defendant respectfully requests an extension within which to file its Special Report and Answer, said Special Report and Answer to be filed on or before March 2, 2007.

Respectfully submitted,

/s/ PAUL M. JAMES, JR.  
Alabama State Bar Number JAM017  
Attorney for Defendant Prison Health Services, Inc.

RUSHTON, STAKELY, JOHNSTON & GARRETT, P.A.  
P. O. Box 270  
Montgomery, AL 36101-0270  
Telephone: (334) 206-3148  
Fax: (334) 262-6277  
E-mail: pmj@rsjg.com

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the above and foregoing has been served by U.S. Mail this the 1st day of February, 2007, to:

Charles Hicks (AIS# 246241)  
P. O. Box 220410  
Deatsville, AL 36022

/s/ PAUL M. JAMES, JR. (JAM017)  
Attorney for Defendant Prison Health Services, Inc.